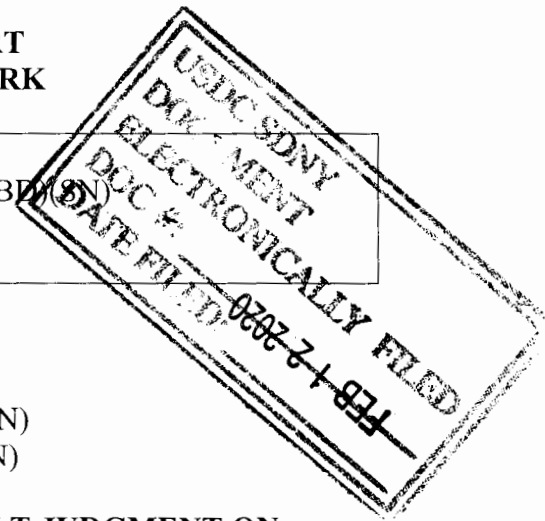


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (GBD)(SN)  
ECF Case



This document relates to:

*Ashton et al. v. al Qaeda Islamic Army, et al.*, 02-cv-6977 (GBD)(SN)

*Bauer et al. v. al Qaeda Islamic Army, et al.*, 02-cv-7236 (GBD)(SN)

**CORRECTED ORDER OF PARTIAL FINAL DEFAULT JUDGMENT ON  
BEHALF OF BAUER I AND BAUER II PLAINTIFFS IDENTIFIED AT EXHIBIT A**

Upon consideration of the evidence and arguments submitted by Plaintiffs identified in Exhibit A to this Order, certain Plaintiffs in *Ashton et al. v. al Qaeda Islamic Army, et al.*, 02-cv-6977 (GBD)(SN), and Plaintiffs in *Bauer et al. v. al Qaeda Islamic Army, et al.*, 02-cv-7236 (GBD)(SN), who are each a spouse, parent, child, or sibling of a victim killed in the terrorist attacks on September 11, 2001, and the Judgment by Default Against the Islamic Republic of Iran ("Iran") entered on August 31, 2015, together with the entire record in this case, and in addition to the default judgment award for compensatory and punitive damages for the pre-death conscious pain and suffering of each decedent, (*see* ECF Nos. 3226, 3229), it is hereby, it is hereby;

**ORDERED** that partial final judgment is entered against the Iran Defendants and on behalf of certain Plaintiffs in *Ashton et al. v. al Qaeda Islamic Army, et al.*, 02-cv-6977 (GBD)(SN), and Plaintiffs in *Bauer et al. v. al Qaeda Islamic Army, et al.*, 02-cv-7236 (GBD)(SN), as identified in the attached Exhibit A, who are each a spouse, parent, child, or sibling of individuals killed in the terrorist attacks on September 11, 2001, as indicated in the attached Exhibit A, and it is

**ORDERED** that the Plaintiffs identified in Exhibit A are awarded: solatium damages of \$12,500,000 per spouse, \$8,500,000 per parent, \$8,500,000 per child, and \$4,250,000 per sibling, as indicated in the attached Exhibit A; and it is

**ORDERED** that the Plaintiffs identified in Exhibit A are awarded prejudgment interest of 4.96 percent per annum, compounded annually, running from September 11, 2001 until the date of judgment; and it is


**ORDERED** that the Plaintiffs identified in Exhibit A may submit an application for punitive damages, economic damages, or other damages (to the extent such awards have not previously been ordered) at a later date consistent with any future rulings made by this Court on this issue; and it is

**ORDERED** that the *Bauer* Plaintiffs not appearing on Exhibit A may submit in later stages applications for solatium damages awards that will be approved on the same basis as currently approved for the Plaintiffs appearing on Exhibit A.

Dated: New York, New York

~~FEB 12 2020~~<sup>2020</sup>

SO ORDERED:

  
\_\_\_\_\_  
GEORGE B. DANIELS  
United States District Judge

# **EXHIBIT A**

| Estate of              | Family Member                              | Relationship | Solatium Award  |
|------------------------|--|--------------|-----------------|
| W. David Bauer, II     | Heidi Bauer Pollard                        | Sibling      | \$4,250,000.00  |
| Todd Beamer            | Margaret Beamer                            | Parent       | \$8,500,000.00  |
|                        | Melissa Wilson                             | Sibling      | \$4,250,000.00  |
|                        | Michele Beamer-Sorenson                    | Sibling      | \$4,250,000.00  |
| Paul F. Beatini        | Michael C. Beatini<br>(died in 2014)       | Parent       | \$8,500,000.00  |
|                        | Michael L. Beatini<br>(died in 2015)       | Sibling      | \$4,250,000.00  |
| Colin Bonnett          | Cathyann Bonnett                           | Spouse       | \$12,500,000.00 |
| Thomas Bowden          | Sheilah Bowden                             | Parent       | \$8,500,000.00  |
| Shawn E. Bowman        | Jennifer J. Henry                          | Spouse       | \$12,500,000.00 |
|                        | Shawn E. Bowman, Sr.                       | Parent       | \$8,500,000.00  |
| Thomas Brennan         | John V. Brennan                            | Parent       | \$8,500,000.00  |
|                        | John O. Brennan                            | Sibling      | \$4,250,000.00  |
|                        | Mary Elizabeth Magee                       | Sibling      | \$4,250,000.00  |
| John Anthony Candela   | John Arthur Candela                        | Child        | \$8,500,000.00  |
| Edward Carlino         | Lisa Torres                                | Child        | \$8,500,000.00  |
| Michael J. Cunningham  | Bernadette T. Hayes                        | Sibling      | \$4,250,000.00  |
| Jack L. D'Ambrosi, Jr. | Jack L. D'Ambrosi, Sr.<br>(Died post-9/11) | Parent       | \$8,500,000.00  |
| Patrick Danahy         | Mary Danahy                                | Spouse       | \$12,500,000.00 |

| Estate of         | Family Member                              | Relationship | Solatum Award  |
|-------------------|--|--------------|----------------|
| Vincenzo Gallucci | Joseph D. Gallucci                         | Child        | \$8,500,000.00 |
|                   | Filomena Grace Santorelli                  | Sibling      | \$4,250,000.00 |
| Linda Gronlund    | Arthur G. Gronlund<br>(Died in 2002)       | Parent       | \$8,500,000.00 |
| Scott Johnson     | Margaret Ann Johnson                       | Parent       | \$8,500,000.00 |
| Howard Kane       | Holly Ann Tanz                             | Sibling      | \$4,250,000.00 |
| Adam Lewis        | Reilly R. Lewis                            | Child        | \$8,500,000.00 |
|                   | Arthur S. Lewis                            | Child        | \$8,500,000.00 |
|                   | Caroline P. Lewis                          | Child        | \$8,500,000.00 |
| David Meyer       | Heidi Mennona                              | Child        | \$8,500,000.00 |
|                   | Heather Vulpone                            | Child        | \$8,500,000.00 |
|                   | Dawn Meyer-Fuchs                           | Child        | \$8,500,000.00 |
|                   | Kristine Meyer                             | Sibling      | \$4,250,000.00 |
| Kevin Murphy      | Connor J. Murphy                           | Child        | \$8,500,000.00 |
|                   | Sally Ryan                                 | Parent       | \$8,500,000.00 |
|                   | Timothy F. Murphy, Jr.<br>(Died post-9/11) | Parent       | \$8,500,000.00 |
|                   | Mary Elizabeth Dougherty                   | Sibling      | \$4,250,000.00 |
|                   | Timothy P. Murphy                          | Sibling      | \$4,250,000.00 |
|                   | John F. Murphy                             | Sibling      | \$4,250,000.00 |
| Jean Peterson     | Catherine A. Stover                        | Child        | \$8,500,000.00 |
|                   | Grace P. Sherwood                          | Child        | \$8,500,000.00 |

| <b>Estate of</b> | <b>Family Member</b>     | <b>Relationship</b> | <b>Solatium Award</b> |
|------------------|--------------------------|---------------------|-----------------------|
| Steven F. Schlag | Jean Nebbia              | Sibling             | \$4,250,000.00        |
|                  | Ellen Hughes             | Sibling             | \$4,250,000.00        |
| Joseph Sisolak   | Suzanne J. Penavic       | Spouse              | \$12,500,000.00       |
|                  | Teresa Reller            | Sibling             | \$4,250,000.00        |
| Michael Tanner   | Kenneth C. Tanner        | Sibling             | \$4,250,000.00        |
|                  | Nicole Tanner-D'Ambrosio | Sibling             | \$4,250,000.00        |
|                  | Maria Marasciulo         | Sibling             | \$4,250,000.00        |
| Scott Vasel      | Janyne Vasel Dembicki    | Sibling             | \$4,250,000.00        |
| Alan Wisniewski  | Matthew P. Wisniewski    | Child               | \$8,500,000.00        |
| Kevin York       | Mary E. York Peled       | Sibling             | \$4,250,000.00        |
| Zisa             | Phyllis A. Kelly         | Sibling             | \$4,250,000.00        |

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

|                      |   |                        |
|----------------------|---|------------------------|
| -----                | x |                        |
|                      | : |                        |
| IN RE:               | : |                        |
|                      | : |                        |
|                      | : | <u>ORDER</u>           |
| TERRORIST ATTACKS ON | : |                        |
| SEPTEMBER 11, 2001   | : | 03 MDL 1570 (GBD) (SN) |
|                      | : |                        |
| -----                | x |                        |

This document relates to:

*Ashton et al. v. al Qaeda Islamic Army, et al.*, 02 Civ. 6977 (GBD) (SN)

GEORGE B. DANIELS, United States District Judge:

Upon consideration of the evidence and arguments submitted by Plaintiffs identified in Exhibits A-1 and A-2 at ECF No. 5881, plaintiffs in *Ashton et al. v. al Qaeda Islamic Army, et al.*, 02 Civ. 6977 (GBD) (SN) ("*Ashton*"), who are each the estate of a victim killed in the terrorist attacks on September 11, 2001, and the Judgment by Default for liability only against the Islamic Republic of Iran ("Iran") entered on 08/26/2015, together with the entire record in this case, it is hereby:

ORDERED that service of process was effected upon Iran in accordance with 28 U.S.C. § 1608(a) for sovereign defendants;

ORDERED that final judgment is entered against Iran and on behalf of the Plaintiffs in *Ashton*, as identified in the attached who are each the estate of a victim killed in the terrorist attacks on September 11, 2001, who are each the estate of a victim killed in the terrorist attacks on September 11, 2001, as indicated in, as described in Exhibits A-1 and A-2;

ORDERED that Plaintiffs identified in Exhibits A-1 and A-2 are awarded: compensatory damages for decedents' pain and suffering in an amount of \$2,000,000 per estate if not previously awarded, as set forth in Exhibits A-1 and A-2;

ORDERED that Plaintiffs identified in the expert reports attached as Exhibit D to the Declaration of James P. Kreindler, Esq., dated January 14, 2020 (and identified in Exhibits A-1 and A-2), are awarded economic damages as set forth in Exhibits A-1 and A-2 and as supported by the expert reports and analyses submitted as Exhibits C and D of the Declaration of James P. Kreindler, Esq., dated January 14, 2020;

ORDERED that Plaintiffs identified in Exhibits A-1 and A-2 are awarded prejudgment interest of 4.96 percent per annum, compounded annually, running from September 11, 2001 until the date of judgment;

ORDERED that Plaintiffs identified in Exhibits A-1 and A-2 may submit an application for punitive damages, economic damages, or other damages (to the extent such awards have not previously been ordered) at a later date consistent with any future rulings made by this Court on this issue; and it is

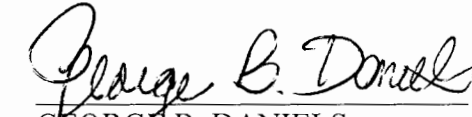
ORDERED that the remaining *Ashton* Plaintiffs not appearing on Exhibits A-1 and A-2 may submit in later stages applications for damages awards, and to the extent they are for solatium or by estates for compensatory damages for decedents' pain and suffering from the September 11, 2001 attacks, they will be approved consistent with those approved herein for other plaintiffs in this action, including the Plaintiffs appearing on Exhibits A-1 and A-2.

The Clerk of Court is directed to close the motion at ECF No. 5535 accordingly.

Dated: February 11, 2020  
New York, New York

FEB 12 2020

SO ORDERED.

  
GEORGE B. DANIELS  
United States District Judge